

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3992 of 2024

Arising Out of PS. Case No.-510 Year-2020 Thana- MASHRAK District- Saran

Harendra Kumar Son of Late Saryug Prasad Sinha Resident of Village-
Nawada PS- Chandi District -Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Jaymangal Paswan NA village- Fakara Banch, Ps- Sonapur Dist- Saran,
Present Deputed At Mashrakh P.S. As Home Guard

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nalin Kumar, Advocate
For the Respondent/s : Mrs.Usha Kumari-1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State. Although a
vakalatnama has been filed on behalf of respondent no.2 but
none is present on his behalf.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 08.08.2024 passed by learned Exclusive Special Judge
(SC/ST Act), Saran in connection with Mashrakh P.S. Case No.
510 of 2020 registered under Sections 341, 307 and 504 of the
Indian Penal Code, Section 27 of the Arms Act and Section 3(i)



(r)/2 (va) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

3. The petitioner is said to have abused and assaulted the informant and also resorted firing from his service pistol.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. Earlier, vide order dated 26.07.2024, the prayer for bail of the appellant was rejected with a liberty to renew his prayer after framing of charge. It is further submitted that the charge has been framed on 05.08.2024. The appellant is in custody since 18.04.2024.

5. In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST Act), Saran in connection with Mashrakh P.S. 510 of 2020.

6. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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